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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,778	07/01/2004	Petr Kvita	HF/5-22603/A/PCT	8508

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CIBA SPECIALTY CHEMICALS CORPORATION
PATENT DEPARTMENT
540 WHITE PLAINS RD
P O BOX 2005
TARRYTOWN, NY 10591-9005

EXAMINER

KHAN, AMINA S

ART UNIT	PAPER NUMBER
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1751

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/500,778	Applicant(s) KVITA ET AL.	
	Examiner Amina Khan	Art Unit 1751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/20/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Claim Rejections - 35 USC § 112***

Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim language "substantially homogeneous" is indefinite. The examiner does not know how to assess what substantially encompasses. The examiner suggests that the applicant clarify the definition of substantially. Appropriate correction of the claim language is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11,13,14 and 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Foster et al. (US 6,008,316).

The prior art of Foster et al. teaches methods of laundering fabrics (page 27, lines 6-10) to prevent dye transfer (abstract) with granular (column 26, line 55) compositions comprising 0.01-90% of dye fixatives, which are condensation products of dicyandiamide and diethylenetriamine (page 10, lines 10-27) reacted in the presence of hydrochloric acid (page 16, lines 35-39), as claimed in claims 1-7. Foster teaches that the laundry detergents further comprise 10-80% builders

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(column 25, lines 17-18), specifically water-insoluble aluminosilicates such as Zeolite A (column 24, lines 51-54) as claimed in claims 1,8,9 and 14. Foster teaches that the laundry detergents further comprise 0.5-10% antiredeposition agents, specifically carboxymethylcellulose, and perfumes (column 25, lines 46-59) as claimed in claims 10 and 11. Foster teaches that the laundry compositions further comprise 1-10% bleaching compounds, specifically peroxide, perborate and percarbonates (column 23, lines 28-53), 3-30% anionic surfactants, specifically C₉-C₂₀ linear alkylbenzenesulfonates (column 20, lines 29 and 55), nonionic surfactants, specifically C₈-C₁₈ alcohol ethoxylates having 2-10 ethoxy groups per mol alcohol (column 17, lines 29-40), and 0.01-90% polyethyleneimines (column 16, lines 10 and 54) as claimed in claims 17-18.

Regarding the claimed limitation of 0.5-50% softener and 0.005-15% thickener as claimed in claim 19, the prior art discloses the use of 0.5-10% carboxymethylcellulose, well known in the art as a thickener for detergent compositions, and 0-25% cationic quaternary ammonium compounds (column 21, lines 1-44), well known in the art to be fabric softening agents for detergents.

Regarding the claimed limitation of methods utilizing uncoated particulate compositions with a homogenous distribution of components, this would be an inherent property because the composition comprises similar components and method steps.

Accordingly, the teachings of Foster et al. anticipate the material limitations of the instant claims.

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Claims 1-9,11,12 and 15-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Panandiker et al. (US 6,156,722).

The prior art of Panandiker et al. teaches methods of laundering fabrics (column 10, lines 6-19) with compositions comprising 1-80% surfactants (column 2, lines 29-30), specifically C_{11} - C_{13} alkylbenzene sulfonates and $R^1(OC_2H_4)_nOH$, where R^1 is C_{10} - C_{16} alkyl group and n is 3-80 (column 3, lines 11-18), 0.1-80% detergent builders, specifically zeolite aluminosilicates (column 3, lines 40-41; column 4, lines 7-8), 0.1-5% dye fixatives, specifically Sandofix SWE® (column 4, lines 34 and 55), 2-30% bleaches such as perborate (column 6, lines 31-32; column 7, lines 49-50), fillers, perfumes, and dyes (column 6, lines 5-6) as claimed in claims 1,3-9,8,9,11,14,17 and 18.

Panandiker further teaches the compositions are granular and made by combining base ingredients and spray drying to a low level of residual moisture then admixing remaining ingredients with the spray dried granules in a rotary mixing drum, and spraying on liquid ingredients to form finished composition (column 9, lines 35-45) as claimed in claims 2,12,15 and 16.


Accordingly, the teachings of Panandiker et al. anticipate the material limitations of the instant claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amina Khan whose telephone number is (571) 272-5573. The examiner can normally be reached on Monday through Friday, 8:30-5.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Amina Khan, PhD
Patent Examiner
February 17, 2006



MARGARET EINSMANN
PRIMARY EXAMINER
GROUP 1100